

BREAKOUT SESSION DISCUSSION POINTS – MINING AND PUBLIC SAFETY

NIOSH Personal Protective Equipment
Conformity Assessment Public Meeting

1) Who defines the BHSRs for your industry?

Public Safety

- Fire Safety – NFPA/OSHA/Public Health
 - Law Enforcement – National Institute for Justice
 - State Level (Authorities have Jurisdiction)
 - Local Level – Rely on State Mandates
 - Impact of InterAgencyBoard – Equipment List and Link to Funding
 - Hazards and Risks
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- Mining
 - State
 - Congress – Mine/Miner Act (Mandated Training)

1) Who defines the BHSRs for your industry?

Mining

- MSHA
- State
- Congress – Mine/Miners Act (Mandated Training)
- NIOSH/RPP/ACGIH/ANSI/ASTM
- Footwear – Policy
- ICEA/Incorporate by Reference
- National Electric Code

2) How should the BHSRs be established?

Public Safety

- No organized process for Law Enforcement (LE)
- State and Local Government (LE)
 - NIJ(LE)/FBI(LE)/DOD(e.g., Bomb Squad)
 - NFPA Processes (Fire Safety)
 - IAB Working Groups (Survey Resource) – Standards Groups and Research
 - Medical –The Joint Commission
 - Union – IAFF
 - Hazwoper Regulations/EPA
 - OSHA – Federal
 - Litigation/Insurance

2) How should the BHSRs be established?

Mining

- Regulatory
- Litigation/Workers Compensation
- University Research
- NIOSH/OMSHR
- MSHA-Sponsored Research
- Response to an Event/Reactive
- Move to be Proactive
 - Industry-needs assessments should be done
 - Stay current with technology
 - Need to pull in User Inputs/Focus Groups?
 - Stay current with practices (Applies to Public Safety as well)

3) Who should address what PPE is needed to meet BHSRs?

- People who have to wear it – End User – Operational Input
- Consensus Standards Organizations
- Users  Regulators  Manufacturers
- Research Organizations
- Academia
- Testing Organizations
- Response to Rulemaking
- NIOSH National Occupational Research Agenda
- InterAgencyBoard (Public Safety)

4) Who determines the technical standards that demonstrate the BHSRs are met?


Mining

- Nobody?
 - Who tests to ANSI/ASTM (often self-certification)
- MSHA/States make determinations
- Depend on Manufacturers
- Certain things have third party respirators/Intrinsically Safe

Public Safety

- NFPA Third Party (Safety Equipment Institute)
- ASTM/ANSI – ID CA – Voluntary Self-Certification
- Government – NIOSH/DOT/OSHA

5) How are conformity assessment requirements linked to PPE types?

- Classic/Hazard and Risks – Otherwise Self Certification
 - NFPA Standards – End Users in Process/Committee sets Requirements/Testing Labs
 - Regulatory/OSHA/NIOSH/MSHA
 - Union  Strong Support to NFPA
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- Criminal Penalties show standards are met
 - Accountability
 - Accredited Programs

6) WHERE DO WE GO FROM HERE?

- Need Teeth (Law) for enforcement
- Education – Buyer needs to know what they are getting; i.e., NFPA not mandatory unless adopted
- Need a prime authority (including resources)
- OSHA jurisdiction?
 - Who has surveillance and enforcements
- Define the problem/need for surveillance